What People are Saying...

“In other words, while Viacom’s lawyers were issuing takedown notices, its marketers were putting clips up on YouTube to promote Viacom movies and TV shows. You’ve got to wonder what the judge will make of that evidence.”
- *Erick Schonfeld, TechCrunch*

“Rather than YouTube simply making intuition-based arguments to the judge that it’s really hard to figure out legitimate vs. illegitimate clips, Viacom’s failings have *proven* to the judge that it’s too hard...”
- *Eric Goldman, Associate Professor of Law and Director of High Tech Law Institute at Santa Clara University*

"Google's motion, on the other hand, is quite compelling and highlights how even if execs are aware of general infringement across the site, it was impossible for them to distinguish what was authorized and what was not, as well as what was fair use and what was not. To require a third party like Google to make such determinations would effectively gut the ability of pretty much any user-generated content site to exist -- which, again, would clearly go against Congress' intentions."
- *Mike Masnick, Techdirt*

"One thing is clear from the documents: Viacom recognized the power of YouTube early on and not only tried to leverage the platform to promote their shows and Paramount films, but also studied whether to buy YouTube itself."
- Michael Learmonth, AdvertisingAge

"It is a huge threat to the openness of the Internet...A bad verdict in this one for conduct that is not horrendous would have an unbelievably chilling effect on all players in the Internet world. You'd need a huge army of censors to sort through this stuff and that is really not feasible or reasonable."
- *Ed Black, Computer & Communications Industry Association*

“So what Viacom is asking for here is a radical re-write of the DMCA that, if accepted, would put all kinds of online service providers at risk of huge statutory damages for copyright infringement... If Viacom is right, then there are no clear rules to follow, except "beg permission from every copyright owner first." And that's a rule that would hobble innovation and competition online. Fortunately, most of Viacom's arguments are simply a rehash of arguments that have already been rejected by other courts. Here's hoping that this court is not fooled. ”
- *Fred von Lohmann, Electronic Freedom Foundation*